

IN RE: HOLOCAUST VICTIM ASSETS  
LITIGATION

**This Document Relates to: All Cases**

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Case No. CV 96-4849 (ERK)(MDG)  
(Consolidated with CV 96-5161  
and CV 97-461)

## MEMORANDUM & ORDER

**MEMORANDUM & ORDER APPROVING SET 152: 14 AWARDS AND 2 AWARD DENIALS CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL PURSUANT TO ARTICLE 31(2) OF THE RULES GOVERNING THE CLAIMS RESOLUTION PROCESS AND AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND**

KORMAN, J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, the Claims Resolution Tribunal (the “CRT”) is hereby requesting the Court’s approval, pursuant to Article 31(2) of the Rules, of 14 certified Awards listed in Annex A and 2 certified Award Denials listed in Annex B, and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 14 Awards is US \$1,163,967.08 (SF 1,338,562.14 converted at a rate of 1.15 Swiss Francs per U.S. Dollar).

With this one hundred and fifty-second set, a total of US \$450,227,013.73 will have been awarded thus far. This total amount is comprised of Awards issued under CRT I and CRT II combined, and Plausible Undocumented Awards (PUAs). Under CRT I alone, which took place from 1997 through 2000, 207 accounts, with a value of US \$18,184,492.00, were awarded as accounts that had belonged to Victims of Nazi Persecution. Under CRT II alone, 2,517 Awards for 4,038 accounts totaling US \$379,600,001.21 will have been made to date to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award amounting to US \$130,559.35.<sup>1</sup> The

<sup>1</sup> In calculating the average value, the Set 75 award and the two Set 110 awards were excluded because their size made them outliers that would

- total number of PUAs issued to date is 10,623 less 139 full and partial deductions totaling \$52,442,520.52.

With this one hundred and fifty-second set, a total of 3,328 Certified Denials to 7,234 accounts will have been approved under CRT II. In 3,209 of these 3,328 Denials, the CRT concluded that the Claimant was not able to identify his or her relative as the Account Owner; in 88 cases the CRT concluded that the Account Owner closed the account and received the proceeds him/her self, in 26 cases the CRT determined that the Claimant was not entitled to the Account Owner's account, and in 5 cases the CRT determined that the evidence submitted was insufficient to support the existence of a bank account belonging to the Claimed Account Owner.

This submission includes six Awards to two Primary Claimants and four Co-Claimants who previously received a Plausible Undocumented Award ("PUA"), as detailed in Annex C to this Order. Each recipient was made aware at the time the PUA was awarded that, in the event the CRT located a Swiss Bank account or accounts to which he/she was entitled, the PUA amount of US \$5,000.00 already received would be deducted from any future award(s) that may be made in connection with such account(s). Therefore, the amount requested for transfer to the Swiss Banks Settlement-Dormant Accounts - Payment Account equals the award amount of US \$1,163,967.08 for the 14 Awards referred to above less US \$30,000.00 for previous PUA payments, for a total of US \$1,133,967.08.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 14 Awards are hereby approved for payment pursuant to Article 31(2) of the Rules;

ORDERED that the attached 2 Award Denials are hereby approved for release to the relevant Claimants;

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have skewed the result. The calculation further excludes three denial reversals, as well as payments of decisions on appeal totaling US \$4,605,779.97.

ORDERED that for the payment of these 14 Awards certified by the CRT and approved by the Court, less the 6 payments previously made in the form of PUAs, the Signatories of the Settlement Fund are hereby ordered to transfer immediately \$1,133,967.08 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account;

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award and Award Denial, which information shall be filed with the Court under seal.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York  
December 18, 2007

SO ORDERED:

  
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Edward R. Korman  
United States District Judge

# CLAIMS RESOLUTION TRIBUNAL

*[BATCH CLII] - ANNEX A*

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of 18 December 2007 the following Awards for approval by the Court and payment by the Special Masters:

Account Owner Last Name and Claim Number		Award Amount (SFr.)
1.	Bauer 777748/DE; 400801/DE	12,126.88
2.	Blumenfeld 786347/BW	162,500.00
3.	Bobriker et al 703692/WI	26,750.00
4.	Cahn 216575/WT**	189,250.00
5.	Docteur 752265/DE**	349,989.38
6.	Friedmann 713773/BE	49,375.00
7.	Fuchs 787834/CU; 500905/CU*	11,570.88
8.	Guttmann 734493/CU	26,750.00
9.	Hartmann 221811/MI	49,375.00
10.	Hofmann 710152/MI	49,375.00
11.	Levi 501486/WI	26,750.00
12.	Rennert 400313/BE; 741532/BE**	325,000.00
13.	Rosenthal 715394/BI	49,375.00
14.	Steiner 751095/BI; 220816/BI; 723109/BI; 001421/BI; 211519/BI*	10,375.00
<b>TOTAL</b>		<b>1,338,562.14</b>
<b>Total amount in US Dollars<sup>2</sup></b>		<b>1,163,967.08</b>

\* MPM Award

\*\* Substantively reviewed by SM Junz

<sup>2</sup> Exchange rate as of 18 December 2007 of 1.15 Swiss Francs per U.S. Dollar.

# CLAIMS RESOLUTION TRIBUNAL

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*[BATCH CLII] - ANNEX B*

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of 18 December 2007 the following Award Denials for approval by the Court:

Account Owner Last Name and Claim Number		Denial Type
1.	Finkelstein 216459/WI	Disposition
2.	Israel 201323/HS/LH**	Disposition

\*\* Substantively reviewed by SM Junz